

Department of Permits Approvals and Inspections  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Baltimore County, Maryland

In the Matter of

Civil Citation No. 99459

Rodger Raynor  
33 Manor Spring Ct  
Glen Arm, MD 21057

260 Ridge Avenue

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on September 14, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC)13-4-201 (b)(d), failure to shore all trash in cans with tight fitting lids on residential property.

On August 22, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Jeff Radcliffe issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$ 500.00 (Five hundred dollars)

The following persons appeared for the Hearing and testified: Rodger Raynor (Owner), Wendy Martin (tenant), Respondent(s); Jeff Radcliffe, Baltimore County Code Enforcement Officer.

Testimony was presented that, upon a complaint and subsequent follow ups to a previously issued Correction Notice, the property was inspected on 8/22/11, note made of trash in cans without proper lids and trash in bags on top of a trash can, and a Citation was issued. A pre-hearing inspection on 9/13/11 revealed the trash cans and garbage situation to be in compliance with code. Respondent Owner testified that Ms. Martin was a good tenant and that he was now utilizing professional services to cut the grass every two weeks. The tenant testified that she thought that if excess garbage was placed

in sealed bags on top of a properly closed full can, it complied with code. She was then explained that no refuse could be left as she had done.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty lien be imposed in the amount of \$ 250.00 (Two hundred fifty dollars).

IT IS FURTHER ORDERED that \$225.00 of the \$250.00 civil penalty lien be suspended.

IT IS FURTHER ORDERED that the remaining \$225 will be imposed if the property is not brought into immediate compliance.

IT IS FURTHER ORDERED that the remaining \$225.00 will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty lien AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 16<sup>th</sup> day of September 2011

Signed Original signed 09/16/11  
Lawrence Stahl  
Managing Administrative Law Judge

**NOTICE TO RESPONDENT:** The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.

TMK/lmw